

# Highlighted Changes to the SCP Regulations (45 CFR 2551)

## Final Rule Fact Sheet



### Overview

In December 2018, the Final Rule, with updates to Senior Corps program regulations (45 CFR 2551, 45 CFR 2552, 45 CFR 4553), was published in the [Federal Register](#). Updates to program rules will be effective for all Senior Corps programs on January 31, 2019.

The changes and revisions to the regulations were made after careful consideration of trends and experience and the robust feedback provided by Senior Corps grantees over the last two years, most notably through our Senior Corps grantee focus groups. Many of the updates include rewording regulations for clarity and making technical changes, such as numbering and references to CNCS, while some updates include modernizing outdated and burdensome regulations to fit the needs of current programming.

This document highlights the regulation updates for the Senior Companion Program (SCP). For information on all the changes implemented by the Final Rule, see the [Final Rule itself](#) or Senior Corps' [Final Rule Headquarters](#). The Final Rule Headquarters also includes side-by-side comparisons of selected regulations and fact sheets with more detail on some of these changes.

### Highlighted Changes to the SCP Program Regulations

The SCP engages low-income older adults to help their more frail peers remain independent in their homes. Senior Companions provide companionship and support to older adults in need of extra assistance to remain at home or in the community for as long as possible, as well as provide respite for caregivers. Senior Companions receive a small stipend enabling them to participate without cost to themselves. For the SCP, the regulations include the following changes:

- Technical updates and the addition or modification to certain definitions (Subparts A,C,F,G,K, and L)
- Modifications and technical updates to specific administrative responsibilities (Subpart B)
- Updates to the income exclusion list to specify public benefits and disability benefits and to the list of what is considered income for the purposes of determining eligibility to serve to include retirement savings plans
- Removal of the requirement for annual physicals and clarifications of language on cost reimbursements (Subpart D)
- Reduction of the annual minimum volunteer service hour requirement and establishment of a maximum hour requirement (Subpart E)
- Consolidated all regulations regarding Senior Companion Leaders (Subpart G)
- Removal of the Direct Benefit Ratio rule or "80/20" rule (Subpart I)
- Changes to the treatment of non-stipended volunteers that includes consolidation and removal of requirements (Subpart J)

Highlights of the most significant new SCP regulations, as well as information on why we are making these updates, are noted below.

- Reduces the minimum requirement of ongoing in-service training annually from forty (40) hours to twenty-four (24) (45 CFR 2551.23(f)). By reducing the minimum requirement for annual, ongoing in-service training, projects are able to allow volunteers to spend more time delivering services to beneficiaries each year.
- Removes annual service plan and annual assessment requirements as these processes are duplicative of work required to assess community need for national performance measure requirements (45 CFR 2551.23 (i), (j)). As such, CNCS found these requirements added unwarranted and unnecessary administrative burden.

- Removes annual volunteer physical examination requirement (45 CFR 2551.41(a)(2); 2551.46(d)). Annual physical examinations, while potentially valuable to certain volunteers and stations, may not be determinative of one's ability to serve. Furthermore, the annual paperwork requirement may be burdensome for both projects and volunteers. However, CNCS recognizes the value of offering physical examinations to volunteers who may not otherwise have the resources or means to obtain them, therefore, this direct benefit shall be retained as an allowable grant expense. As such, CNCS has added "Physical examination" to the articulated cost reimbursements in the final rule (45 CFR 2551.46(f)).
- Clarifies that Supplemental Nutrition Assistance Program (SNAP) benefits and Social Security Disability or other disability payments are not considered income for eligibility verification purposes. CNCS has determined that articulating certain forms of public assistance that are not to be counted toward an SCP volunteer eligibility is helpful. While it has always been CNCS's position that these forms of public benefits and assistance are not considered income for volunteer eligibility purposes, we note that those forms of public benefits and assistance were not specifically denoted in the past SCP regulations. Likewise, we have determined that explicitly articulating certain forms of income that are to be counted toward an SCP volunteer's eligibility is helpful so we have added retirement savings plans to that list (45 CFR 2551.44(a),(b)).
- Changes the volunteer service hour minimum requirement to at least five (5) hours weekly or 260 hours annually (45 CFR 2551.51). By reducing the minimum number of required hours that volunteers must serve, it allows greater flexibility in service schedules for volunteers. CNCS believes this will likely result in increased recruitment of new volunteers and retention of existing volunteers.
- Removes the previous Direct Benefit Ratio or "80/20 rule" which required that a sum equal to at least 80 percent of the amount of the Federal share of the grant award shall be expended on cost reimbursements that are provided directly to volunteers such as stipend payments, transportation reimbursements, meals, and recognition (45 CFR 2551.92(e)). By eliminating this requirement, CNCS intends to relieve the administrative and budgetary pressures associated with the rising cost of program administration and allow grantees to focus on the delivery of high quality program services. Moreover, the removal of this requirement removes a duplicative and onerous requirement as direct investment in volunteers is already protected through regulation by defining necessary cost reimbursements and optional cost reimbursements along with other federal rules and regulations applicable to federal grant programs.
- Removes the requirement that SCP projects coordinate with local RSVP projects when enrolling over-income SCP volunteers (45 CFR 2551.101). By eliminating this requirement, we are treating non-stipended volunteers more equitably with stipended volunteers and are reducing administrative burden for all three programs. In addition, the former requirement presumed that a prospective non-stipend volunteer would have been willing to transition to a different project that may not have offered a similar volunteer opportunity.
- Revises non-stipend volunteer service requirement to mirror stipended volunteer service requirements (45 CFR 2551.102(e)(f)). The new regulations no longer recommend that non-stipended volunteers serve at separate volunteer stations from stipended SCP volunteers and no longer recommend an average weekly service hour requirement for non-stipended SCP volunteers that differed from the requirement for stipended volunteers. By eliminating these requirements, CNCS has made the requirements for both stipended and non-stipended and SCP volunteers more consistent, equitable, and conducive to an effective service environment. In addition, the elimination of these recommendations ensures that service is carried out in a unified manner that promotes team building and strengthens impacts on communities. Further, we have determined that maintaining a separate and additional set of criteria related to non-stipended volunteers increased the administrative burden that is needed to support both stipended and non-stipended volunteers and the elimination of the requirements relieves administrative pressure related to tracking and monitoring different required hours of service.
- Removes the requirement to separate any administrative cost related to non-stipend volunteers (45 CFR 2551.104). Elimination of this rule does NOT allow sponsoring organizations to expend federal funding or non-federal match on non-stipend volunteers; however, the removal of the requirement eliminates an unnecessary rule which resulted in separate treatment of non-stipend and stipended volunteers. Further, promotes efficiencies

for sponsoring organizations in better comporting with regulations requiring equitable treatment of non-stipend and stipended volunteers.

## Questions?

If you have any questions, please reach out to your CNCS Program Officer or email [SCFinalRule@cns.gov](mailto:SCFinalRule@cns.gov).